

INDIANA BOARD OF PHARMACY

Indiana Professional Licensing Agency

Conference Center Room W064
402 W. Washington St.
Indianapolis, IN 46204

MINUTES OF February 9, 2009

CALL TO ORDER & ESTABLISHMENT OF QUORUM

President and Presiding Officer Del Fanning called the meeting to order at 9:40 a.m. in Conference Center Room W064 of the Indiana Government Center-South, 402 West Washington Street, Indianapolis, Indiana 46204, and declared a quorum, in accordance with IC § 25-26-13-3.

Board Members Present:

Del T. Fanning, R.Ph., President
Lora Williams, Consumer Member, Vice President
Donna Wall, PharmD., R.Ph, Member
Sara St. Angelo, PharmD, R.Ph., Member
Winnie Landis, R.Ph., Member
Steve Anderson, R.Ph., Member
William Cover, R.Ph., Member

Board Members not in attendance:

State Officials Present:

Marty Allain, Board Director, Indiana Professional Licensing Agency
Amy Phillips, Assistant Director, Indiana Professional Licensing Agency
Gordon White, Advisory Counsel

Steve Anderson left meeting to meet with representatives of MTS.

A motion was made and seconded to adopt the agenda.

Wall/St. Angelo

Motion carried 6/0/0

A motion was made and seconded to adopt the January 2009 Minutes.

Landis/St. Angelo

Motion carried 6/0/0

Compliance Officers presented their reports.

Sharon Paloucek appeared before the board regarding a pharmacist license transfer application. A motion was made and seconded to place the applicant on probation with the terms to reflect probationary terms in Illinois with applicant to do the following: provide current employer information and pass the MPJE.

Landis/St. Angelo

Motion carried 6/0/0

Marwood Pharmacy, represented by Akram Abu-Mahfouz appeared before the board regarding its new store pharmacy application. A motion was made and seconded to approve the pharmacy permit pending inspection.

Wall/St. Angelo

Motion carried 6/0/0

A representative from Sharps Compliance TakeAway Program for unused medication

Bill Cover attended meeting with Fagen Pharmacy.

In the Matter of the Indiana Pharmacist License of James Sagstetter

License No. 26015398A

Administrative Cause No. 2008 IBP 0052

Re: Order to Show Cause

Parties and Counsel Present:

Participating Board Members:

Fanning

St. Angelo

Williams

Cover

Landis

Wall

Witnesses for the Respondent:

James Sagstetter

Witnesses for the State:

None

Case Summary:

The Board issued an Order to Show Cause due to Respondent's violations of her probationary terms.

Board Action:

A motion was made and seconded to table the OTSC.

Landis/Wall

Motion carried 4/0/1 (Fanning abstained)

In the Matter of the Indiana Pharmacist License of John Mathews, Jr.

License No. 26012817A

Administrative Cause No. 2008 IBP 0059

Re: Default Hearing

Parties and Counsel Present:

Heather Kennedy, DAG

Participating Board Members:

Fanning

St. Angelo

Williams

Landis

Cover

Anderson

Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

Board issued a Notice of Proposed Default.

Board Action:

A motion was made and seconded to hold the Respondent in default.

Fanning/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to indefinitely suspend the Respondent's license.

Fanning/St. Angelo

Motion carried 7/0/0

In the Matter of the Indiana Pharmacist License of Steven Zehring

License No. 26012990A

Administrative Cause No. 1997 IBP 0011

Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG

Participating Board Members:

Fanning

St. Angelo

Williams

Cover

Landis

Anderson

Wall

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

The Board issued an Order to Show Cause due to Respondent's violations of his probationary terms.

Board Action:

A motion was made and seconded to indefinitely suspend the Respondent's license; Respondent may not seek reinstatement for six (6) months from date of the Final Order.

Cover/St. Angelo

Motion carried 6/1/0 (Landis against)

Representatives from MTS appeared before the board regarding automation in pharmacy practice. A motion was made and seconded to approve the proposed automation pending on-site inspection of the automation by one board member and one compliance officer. Automation shall not be used until inspection and board approval.

Wall/St. Angelo

Motion carried 7/0/0

In the Matter of the Indiana Pharmacist License of Scott Kaczynski
License No. 26014768A
Administrative Cause No. 2008 IBP 0054
Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG
Steve Johnsonbaugh, Respondent's counsel
Scott Kaczynski, Respondent

Participating Board Members:

Fanning
St. Angelo
Williams
Cover
Landis
Wall
Anderson

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

Parties submitted a proposed settlement agreement.

Board Action:

A motion was made and seconded to accept the proposed settlement agreement placing his license on indefinite probation with additional terms.

Landis/Wall

Motion carried 6/1/0 (Fanning against)

In the Matter of the Indiana Pharmacist License of Traci Holling
License No. 26017269A
Administrative Cause No. 2007 IBP 0013
Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG
Georgina Jones, Respondent

Participating Board Members:

St. Angelo
Williams
Cover
Landis
Wall
Fanning
Anderson

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

An OTSC was issued adverse the Respondent's license.

Board Action:

A motion was made and seconded to continue with the emergency suspension and to reset the hearing for April 2009 board meeting

Wall/Landis

Motion carried 7/0/0

In the Matter of the Indiana Pharmacist License of Edward Hine

License No. 26013118A

Administrative Cause No. 2004 IBP 0020

Re: Petition to Reinstate

Parties and Counsel Present:

Mark Mader, DAG

Michelle Baldwin, Respondent's counsel

Edward Hine, Respondent

Participating Board Members:

Fanning

St. Angelo

Williams

Cover

Landis

Wall

Anderson

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

Parties submitted settlement agreement.

Board Action:

A motion was made and seconded to accept the settlement agreement placing the Respondent's license on probation with additional terms.

Landis/Wall

Motion carried 7/0/0

In the Matter of the Indiana Pharmacy Technician Certification of Jana Ratliff

Certification No. 67003759A

Administrative Cause No. 2008 IBP 0053

Re: Final Hearing

Parties and Counsel Present:

Mark Mader, DAG

Participating Board Members:

Fanning

St. Angelo

Williams

Cover

Landis
Wall
Anderson

Witnesses for the Respondent:

None

Witnesses for the State:

None

Case Summary:

A Complaint was filed adverse the Respondent's license.

Board Action:

A motion was made and seconded to issue a notice of proposed default.

Wall/St. Angelo

Motion carried 7/0/0

The board considered the OTSC issued against Respondent James Sagstetter's probationary license. A motion was made and seconded to suspend the Respondent's license indefinitely pending the execution of a PRN contract.

Anderson/St. Angelo

Motion carried 6/0/1 (Fanning abstained)

PRN representatives appeared before the board regarding the use of automated technology in its pharmacy. A motion was made and seconded to approve the automated device.

St. Angelo/Anderson

Motion carried 7/0/0

A motion was made and seconded to approve the following probationary appearances:

Grafe, Nicole
Holling, Traci
MacLean, Thomas
Mittelkamp, Elaine
Potts, Deidra
Rodeman, Linda
Seebach, Lon
Six, Jamie

Williams/Anderson

Motion carried 7/0/0

A motion was made and seconded to approve the following probationary appearances:

Davis, Tracy
Dodds, Gregory
Jaberg, Robert
Palmer, Britney
Powell, Melanie
Querry, Kevin
Sagstetter, James
King, Tina

Anderson/Fanning

Motion carried 7/0/0

A motion was made and seconded to approve the following probationary appearances:

Aschcraft, James
Brown, Shelley
Chew, Barbara
Jacobs, Tony
Peters, Nicholas
Petty, Monica
Utz, John

Cover/Wall

Motion carried 7/0/0

Joseph Mathys, Teresa Moore, Kristina Stewart, Adam Wheeler, and Samuel Young failed to appear for their probationary appearance.

A motion was made and seconded to table Seth Koerner's pharmacy technician renewal application requesting information on his military service and to approve Leon Kropiewnicki's pharmacist renewal application pending the applicant passing the MPJE.

Wall/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve Michelle Pesche's pharmacist intern application.

Wall/Landis

Motion carried 7/0/0

A motion was made and seconded to approve the technician training program for Cardinal Health: The Ohio State University Nuclear Pharmacy Technician Training Program.

Landis/Wall

Motion carried 7/0/0

A motion was made and seconded to table the technician training program for Regency Hospital of Northwest Indiana and request additional information.

Landis/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following continuing education hours:

Karen Siefert	(1)
Meredith Harper	(0.5)
NEIPA	(8-1hr)

Cover/Wall

Motion carried 7/0/0

A motion was made and seconded to approve the following technician applications:

Billy Green
Azubuike Amadi
Erica Patton

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to table the following technician applications and request a personal appearance:

Samantha Hadley
Susan Trammel
Brian Tran
Natasha Banks
Courtney Priest

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve the following requests for waivers:

Brandi Yoder
Tia Spalding
Daphne Venerable
Jennifer Provost
Brian Cummings
Tiffanie Thurman

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to table Tamkanath Ali's request for waiver with the board requesting statement from employer's qualifying pharmacist.

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to approve Hallie Robinson's request for waiver.

Cover/Landis

Motion carried 7/0/0

A motion was made and seconded to approve the following requests for extension of technician-in-training permit:

Brittany Mass
Sarah Evans
Malissa Smith
Deborah Henady-Korba
Aleatrice Ledsinger
Regina Yearling
Anna Rogers
Behnaz Zamani

Anderson/St. Angelo

Motion carried 7/0/0

A motion was made and seconded to table the following non-resident pharmacy applications:

Basic Home Infusion—board requests additional information on after hours
Rx Stat—board requests information on 6 days/40 hours services

St. Angelo/Wall

Motion carried 7/0/0

A motion was made and seconded to grant board of pharmacy staff the authority to approve or deny prescription security paper vendor applications.

Anderson/Wall

Motion carried 7/0/0

The meeting adjourned at 4:30 p.m.

Del Fanning, R.Ph., President
Indiana Board of Pharmacy

Date

Next Scheduled Meeting:

Monday, March 9, 2009
Indiana Government Center South
Room W064